

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Quincy Levy

Docket No. 4:03-CR-44-1H

Petition for Action on Supervised Release

COMES NOW Dwayne K. Benfield, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Quincy Levy, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 8, 2004, to the custody of the Bureau of Prisons for a term of 70 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

Quincy Levy was released from custody on April 16, 2010, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

A urine test conducted on June 24, 2010, yielded a positive result for THC metabolite. When confronted by the probation officer with the result of this urinalysis, Levy denied the use of marijuana. The urine sample was submitted for laboratory analysis and was subsequently confirmed positive for THC metabolite on July 2, 2010. Levy has since admitted that he used marijuana on or about June 20, 2010.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 consecutive days and shall abide by all rules and regulations of the designated facility.
3. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days. The defendant shall begin the DROPS Program in the second use level.

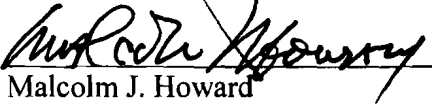
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Senior U.S. Probation Officer
201 South Evans Street, Room 214
Greenville, NC 27858-1137
Phone: (252) 758-7200
Executed On: July 23, 2010

ORDER OF COURT

Considered and ordered this 26th day of July, 2010, and ordered filed and made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge
